

## **EXHIBIT B**

**From:** Elliker, Kevin  
**Sent:** Thursday, June 15, 2023 10:19 PM  
**To:** D. Yerushalmi  
**Cc:** Eckstein, Maya; Powell, Lewis; King, Jeremy  
**Subject:** Re: Richard Mast - motion to compel

We may be talking past each other, and it may be wiser for me not to argue with you over the meaning of your own motion. We will let you satisfy yourself. Thanks.

Kevin Elliker  
kelliker@huntonak.com  
p 804.788.8656

**HUNTON**  
ANDREWS KURTH

On Jun 15, 2023, at 9:21 PM, D. Yerushalmi <[dyerushalmi@americanfreedomlawcenter.org](mailto:dyerushalmi@americanfreedomlawcenter.org)> wrote:

**Caution: This email originated from outside of the firm.**

The motion was based on your non-production of any docs whether confidential or not. Your clients' position was non-disclosure pending a PO or my client's agreement to abide by the PO before an actual PO was entered, which is why that particular position was briefed. But the motion was based upon non-disclosure. The court entered a PO. Your clients produced documents. If your clients produced the documents they agreed to produce, motion is moot. If not, the motion is not moot. I'm assuming you have produced what was agreed upon, but I must determine that definitively.

If you'd like, you may file a short note to the court letting it know that while the motion was sub judice and after the PO, Pls produced and Def RLM is now reviewing that production to determine if the motion is moot and ask the court to "stay any further consideration/ruling on the motion" for 10 days at which time the parties will update the court on their joint or respective positions re the motion.

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please erase all copies of the message and its attachments and notify sender immediately. Thank You.

On Thu, Jun 15, 2023, 2:54 PM Elliker, Kevin <[KElliker@huntonak.com](mailto:KElliker@huntonak.com)> wrote:

David,

I certainly understand the need to review before making any representations regarding your satisfaction, vel non, with the production.

But I also understood the pending motion to be premised solely on the PO issue. Certainly that was how it was briefed. It also was the only issue on which I would agree we had reached an impasse after a good faith meet and confer process. If you determine there is a new issue, I assume you will ask to meet and confer on that so that we can see how, if at all, we stand apart.

Thanks,  
Kevin

Kevin Elliker

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**HUNTON**  
ANDREWS KURTH

On Jun 15, 2023, at 5:39 PM, D. Yerushalmi  
<[dyerushalmi@americanfreedomlawcenter.org](mailto:dyerushalmi@americanfreedomlawcenter.org)> wrote:

**Caution: This email originated from outside of the firm.**

Kevin

I have yet to go through your clients' production to know if the motion is moot. I hope to early next week.

David Yerushalmi\*

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On Thu, Jun 15, 2023, 2:05 PM Elliker, Kevin <[KElliker@huntonak.com](mailto:KElliker@huntonak.com)> wrote:

David,

I was doing some housekeeping with my files today and I noted that you did not file a reply in support of your motion to compel. I presume that is because the motion has been mooted by Plaintiffs' production following Judge Hoppe's entry of the protective order. Just to make sure we don't leave loose ends loose, can you confirm that you are withdrawing that motion?

Thanks. Hope you are well.

Kevin



**Kevin Elliker** (he/him)

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